

ORIGINAL

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

NOV 20 2006
at 10 o'clock and 02 min. A.M.
SUE BEITIA, CLERK

UNITED STATES OF AMERICA)
)
 vs.)
)
ROMY SABALBORO)
)

CRIMINAL NO. CR 02-00272DAE-05

ORDER MODIFYING THE CONDITIONS OF SUPERVISED RELEASE

WHEREAS, a "Request to Show Cause Why Supervised Release Should Not Be Revoked" was filed by the U.S. Probation Office on November 8, 2006. The request was based on defendant Sabalboro's alleged violation of five conditions of supervised release.

WHEREAS, the matter came before the Honorable David Alan Ezra on November 9, 2006, with the United States of America being represented by Chris A. Thomas. Also present was defendant Romy Sabalboro, who was in custody, and his counsel, First Assistant Federal Public Defender Alexander M. Silvert. Additionally, Supervising United States Probation Officer Timothy M. Jenkins was in attendance.

WHEREAS the Court having fully been apprised in the premises;

THE COURT HEREBY STATES that it will not make any findings as to the defendant's alleged violations of supervised release. Instead, the Court will hold the violations in abeyance until moved upon.

HOWEVER, pursuant to 18 U.S.C. § 3583(e), this Court hereby finds that good cause exists and that the terms of supervised release should be modified.

IT IS HEREBY ORDERED that defendant Sabalboro's conditions of supervised release are modified and that the following condition is imposed:

The defendant shall enter and successfully complete a residential dual diagnosis program at Po'ailani to address his mental health and substance abuse problems. The defendant shall abide by all program rules until clinically discharged.

IT IS FURTHER ORDERED that defendant Sabalboro will remain in the custody of the United States Marshals Service until bed space is available at the Po'ailani program.

DATED: Honolulu, Hawaii, November 15, 2006.



DAVID ALAN EZRA
United States District Judge

